Single Bench

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P.R. No. 4251/06
Presented by Shri manoj mish
dated 28/8/06

(5) 1007

IN THE HIGH COURT OF CHHATTISGARH

AT BILASPUR

W. P. (S) NO. 4707 /2006

PETITIONER : Smt. Wineeta Choubey W/o Shri Dilip Kumar Choubey, R/o Village - Pipraul, Tahasil–Pal, at present R/o- Ward No. (5), Ramanujganj, District- Surguja (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattistarh, Through:- The Secretary, Home Department, D.K.S.Bhawan,Raipur. (C.G.) .
2. The Collector, District - Surguja at Ambikapur (C.G.) .
3. The Chief Executive Officer, Zila Panchayat, Surguja at Ambikapur (C.G.)
4. The Chief Executive Officer, Janpad Panchayat–Ramchandrapur, (Ramanujganj), District - Surguja (C.G.)

PRESENTED-COPY
28/8/06
CLERK to A. G. BILASPUR

OATH COMMISSIONER
S.R. Kanskilal

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(41)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.4707 **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

1-9-2006

Mr. Manoj Mishra, counsel for the petitioner.

Mr. Vinay Pandey, Panel Lawyer for the State/respondents No.1 & 2, on advance copy.

Heard both the counsel.

The case of the petitioner is the petitioner and her family members are permanent residents of Village: Piraul, Tehsil: Pal, District: Surguja. In the intervening night of 29th & 30th November, 2004 around about 40-50 Naxalites came to the village and house of the petitioner's family was set ablaze in which family of the petitioner sustained a loss of about Rs.1,50,000/-. F.I.R. regarding that incident was lodged and copy of the same is Annexure P-1. As per the scheme of the Government issued on 20th October, 2004, family members of the Naxalite affected are entitled for certain concessions. As per clause 14 of the said scheme, if the member of the Naxalite affected family is educated, then he shall be eligible for appointment as teacher and the case of that person shall be considered on the pattern of primitive tribe.

Learned counsel for the petitioner submits that the petitioner applied for the said post, her case was examined and no final order has been passed. But the petitioner has come to know that her case is not being considered on the ground that she is the daughter-in-law of the Naxalite affected family. In the circumstances, learned counsel submits that the petitioner may be allowed to make a representation to respondent No.4 and in turn, respondent No.4 be directed to decide the same, to which learned counsel appearing for the State/ respondents No.1 & 2 has no objection.

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(42)

मामला क्रमांक ...W.P.4707/ **सन् 200** 6

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition and its annexures to respondents No.4 within two weeks from today, in turn respondent No.4 shall consider the case of the petitioner in accordance with the State Government policy dated 20th October, 2004, decide the representation of the petitioner and pass order within a period of 60 days from the date of receipt of the representation. With the direction aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.Bhadoo Judge	

P.T.O.

5.9.06